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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 LAURIE A. DEUSCHEL,

12 Plaintiff,

2:03-cv-2072-GEB-GGH

13 vs.

14 MICHAEL J. ASTRUE,
15 Commissioner of Social Security,

ORDER

16 Defendant.
17 _____/

18 On July 28, 2009, the magistrate judge filed findings and recommendations herein
19 which were served on the parties and which contained notice that any objections to the findings
20 and recommendations were to be filed within ten days. Objections were filed on August 18,
21 2009, response to the objections were filed on August 24, 2009, and they were considered by the
22 district judge.

23 This court reviews de novo those portions of the proposed findings of fact to
24 which objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v.
25 Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920
26 (1982). As to any portion of the proposed findings of fact to which no objection has been made,

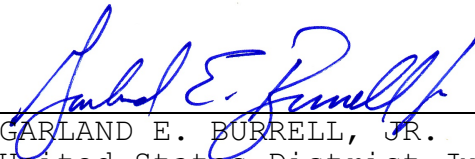
1 the court assumes its correctness and decides the motions on the applicable law. See Orand v.
2 United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are
3 reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir.
4 1983).

5 The court has reviewed the applicable legal standards and, good cause appearing,
6 concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.
7 Accordingly, IT IS ORDERED that:

8 1. The Proposed Findings and Recommendations filed July 28, 2009, are
9 ADOPTED;

10 2. Plaintiff's Motion for Summary Judgment (docket #57) is denied; the
11 Commissioner's Cross-Motion for Summary Judgment (docket #68) is granted, and judgment is
12 awarded to the Commissioner.

13 Dated: September 3, 2009

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16 GARLAND E. BURRELL, JR.
United States District Judge